

AO 440 (Rev. 06/12) Summons in a Civil Action

FILED

UNITED STATES DISTRICT COURT

for the

Eastern District of Virginia

2015 JAN 20 P 1:55

Malibu Media, LLC

\_\_\_\_\_  
*Plaintiff(s)*

v.

Cheri Schmidt

\_\_\_\_\_  
*Defendant(s)*

CLERK US DISTRICT COURT  
ALEXANDRIA, VIRGINIA

Civil Action No. 1:14-cv-01096-GBL-TCB

*Amended* SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* Cheri Schmidt  
15450 Fog Mountain Circle  
Haymarket, VA 20169

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

William E. Tabot, Esquire  
Maddox, Hoppe, Hoofnagle & Hafey, L.L.C.  
1401 Mercantile Lane #105  
Largo, Maryland 20774  
(301) 341-2580

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: \_\_\_\_\_

12/4/14

CLERK OF COURT

*J. Bonham*  
\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

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Civil Action No. 1:14-cv-01096-GBL-TCB

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*:

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0.00 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

**AFFIDAVIT OF SERVICE**

FILED

UNITED STATES DISTRICT COURT  
Eastern District of Virginia

Case Number: 1:14-CV-01096-GBL-TCB

2015 JAN 20 P 1:55

Plaintiff:  
MALIBU MEDIA, LLC

vs.

Defendant:  
CHERI SCHMIDT

CLERK US DISTRICT COURT  
ALEXANDRIA, VIRGINIA



PRS2014029884

For:  
Jon Hoppe  
MALIBU MEDIA  
1401 Mercantile Ln  
Ste 105  
Largo, MD 20774

Received by PRIORITY PROCESS to be served on CHERI SCHMIDT, 15450 FOG MOUNTAIN CIRCLE, HAYMARKET, VA 20169.

I, Scott Tilles, being duly sworn, depose and say that on the 11th day of January, 2015 at 9:34 am, I:

INDIVIDUALLY/PERSONALLY served defendant by delivering a true copy of the AMENDED SUMMONS IN A CIVIL ACTION, AMENDED COMPLAINT-ACTION FOR DAMAGES FOR PROPERTY RIGHTS INFRINGEMENT, AND DEMAND FOR A JURY TRIAL with the date and hour of service endorsed thereon by me, to: CHERI SCHMIDT at the address of: 15450 FOG MOUNTAIN CIRCLE, HAYMARKET, VA 20169, and informed said person of the contents therein, in compliance with state statutes.

Description of Person Served: Age: 44, Sex: F, Race/Skin Color: WHITE, Height: 5'7, Weight: 160, Hair: BLACK, Glasses: N

Under penalty of perjury, I certify that the above made statements are true. I am over the age of 18, under no legal disabilities and have no interest in the above action. I solemnly affirm under the penalties of perjury that the contents of the foregoing paper are true to the best of my knowledge, information, and belief.



**LAUREN GOLD**  
Notary Public - State of Maryland  
County of Montgomery  
My Commission Expires 9/6/2017

Subscribed and sworn to before me on 1/12/15 by  
the affiant who is personally known to me.

Notary Public

Scott Tilles  
Process Server

PRIORITY PROCESS  
P.O. Box 4189  
Rockville, MD 20849-4189  
(800) 420-8080

Our Job Serial Number: PRS-2014029884